

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

THE NEW YORK TIMES COMPANY,

Plaintiff,

v.

MICROSOFT CORPORATION, OPENAI,
INC., OPENAI LP, OPENAI GP, LLC,
OPENAI, LLC, OPENAI OPCO LLC,
OPENAI GLOBAL LLC, OAI
CORPORATION, LLC, and OPENAI
HOLDINGS, LLC,

Defendants.

Civil Action No. 1:23-cv-11195 (SHS) (OTW)

Daily News, LP; Chicago Tribune Company,
LLC; Orlando Sentinel Communications
Company, LLC; Sun-Sentinel Company,
LLC; San Jose Mercury News, LLC; DP
Media Network, LLC; ORB Publishing,
LLC; and Northwest Publications, LLC

Plaintiffs,

v.

MICROSOFT CORPORATION, et al.,

Defendants.

Civil Action No. 1:24-cv-3285 (SHS) (OTW)

DECLARATION OF DR. RICARDO BAEZA-YATES

I, Dr. Ricardo Baeza-Yates, declare as follows:

1. I am a Cofounder of and Chief Scientific Officer at Theodora.AI. I submit this declaration on behalf of the News Plaintiffs in support of their response to OpenAI's Letter Requesting a Pre-Motion Conference for a Protective Order. I have knowledge of the facts set forth below and if called as a witness, could testify competently thereto.

2. Theodora.AI is a Chilean company having six employees.
3. Theodora.AI focuses on using artificial intelligence to detect bias issues (e.g., gender bias) specifically in the context of Spanish documents and provides recommendation on how to fix bias. To the best of my knowledge, OpenAI does not have a product directed to detecting and fixing biases in the context of Spanish text and Theodora.AI is not a competitor to OpenAI.
4. Theodora.AI detects bias issues in Spanish text by fine-tuning existing LLMs with its own proprietary Spanish language datasets labeled to identify bias.
5. Theodora.AI does not pre-train LLMs or otherwise create its own foundation models. Currently, the only existing LLM that Theodora.AI fine-tunes is the RoBERTA model. Theodora.AI does not fine-tune any of OpenAI's models.
6. Theodora.AI does not use retrieval augmented generation ("RAG") methods.
7. In my role as Chief Scientific Officer, I spend about two hours a week advising Theodora.AI. I do not participate in any of Theodora.AI's development work.
8. I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Executed on the 22nd day of October 2024.



Dr. Ricardo Baeza-Yates